

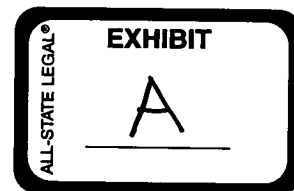
IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

INDYMAC VENTURES, LLC,	)	
	)	CASE NO. 1:08-CV-02336-KMO
Proposed Substituted Plaintiff,	)	
	)	
vs.	)	JUDGE: KATHLEEN M. O'MALLEY
	)	
JASON WERNER, <i>et al.</i>	)	
	)	
Defendants.	)	<b>CERTIFICATION OF JEANIE</b>
	)	<b>CALDWELL IN SUPPORT OF</b>
	)	<b>REPLY OF INDYMAC VENTURES, LLC</b>
	)	<b>TO DEFENDANT'S MEMORANDUM</b>
	)	<b>IN OPPOSITION TO MOTION</b>
	)	<b><u>FOR SUMMARY JUDGMENT</u></b>

Pursuant to 28 U.S.C. § 1746, I, Jeanie Caldwell, in my capacity as Vice President of IndyMac Mortgage Services, a division of OneWest Bank, FSB ("IndyMac Mortgage"), based upon my personal knowledge of the matters set forth herein, hereby certify as follows:

1. I am duly authorized to make this Certification on behalf of Indymac Ventures, LLC, in connection with the Reply Memorandum to Defendant Jason Werner's Memorandum in Opposition to Proposed Substituted Plaintiff's Motion for Summary Judgment filed by IndyMac Ventures, LLC ("IndyMac Ventures"), successor-in-interest to IndyMac Federal and the Proposed Substitute Plaintiff in this action. I make this Certification on personal knowledge and upon the books and records maintained in the ordinary course of IndyMac Mortgage's business.

2. I have personal knowledge of the books and records of IndyMac Federal Bank pertaining to the subject mortgage loan (the "Mortgage Loan") made by IndyMac Bank, FSB ("IndyMac") to Defendant Jason Werner ("Mr. Werner"), which is the subject of IndyMac Ventures' claims in this action. Prior to July 11, 2008, I was employed as a Vice President, Customer Experience for IndyMac. In that capacity, I was the custodian of documents made and




kept in the ordinary course of IndyMac's business relating to the Mortgage Loan. All information contained in the documents was recorded in accordance with IndyMac's regularly conducted business practices.

3. Attached to this Certification as "**Exhibit 1**" is a true and accurate copy of the Corporation Assignment of Mortgage which was recorded in the official records of Cuyahoga County, Ohio on July 16, 2009 as Instrument No. 200907160766 and which evidences the transfer to IndyMac Ventures of all rights, title, and interest to the mortgage and promissory note which are related to the Mortgage Loan.

4. Attached to this Certification as "**Exhibit 2**" are true and accurate copies of the Notice to Customer Required by Law and Federal Reserve Regulation Z dated August 6, 2007, originals of which are maintained in the file for the Mortgage Loan.

5. Attached to this Certification as "**Exhibit 3**" are true and accurate copies of the Notice of Right to Cancel dated August 6, 2007, along with the Rescission Instructions to Closing Agent, originals of which are maintained in the file for the Mortgage Loan.

I certify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on January 27, 2010, at Pasadena, California.

  
Jeanie Caldwell  
Vice President  
IndyMac Mortgage Services